GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3610
ANSWERED ON:21.03.2001
IMPLEMENTATION OF PRE NATAL ACT, 1994
ALE NARENDRA

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government are aware that sex determination tests are still being done in the country;

(b) if so, the details thereof, State-wise;

(c) whether the Pre-Natal Act, 1994 has not been fully implemented in many States;

(d) if so, whether the Government have issued any instructions for strict compliance of this Act; and

(e) the steps proposed to be taken by the Government to ban sex determination tests?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA)

(a) to (e) Sex determination of the foetus is banned in the country. No State-wise data is available about the prevalence of foetus.
The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 which came into force with effect from 1st January, 1996 specifically prohibits the disclosure of the sex of the foetus.
This Act is in fore in all States and UTs except J&K.The responsibility for implementation of the Act rests with the States. In Bihar, West Bengal and Lakshadweep Advisory Committees have not been constituted to aid and advise the Appropriate Authority under the Act. These States/UTs have been repeatedly advised to do the needful.

The States/UTs have been advised to mount an effective awareness campaign to make public as well as the service providers aware of the provisions of the Act. The States/UTs have also been advised to provide protection to social activists and Non-Government Organisations giving information or filing complaint of violation of the provisions of the Act. Leading Non-Government Organisations have been requested to take up projects about generating awareness about the provisions of the Act, among doctors/clinics/law enforcing authorities and public at large.